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Stephen M. Kelsey

10 *[Additional counsel listed on signature page]*

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 In re: GERON CORPORATION
16 SECURITIES LITIGATION

Case No.: 14-cv-01224-CRB

CLASS ACTION

**STIPULATION AND ORDER TO EXTEND
THE TIME WITHIN WHICH TO ANSWER
THE CONSOLIDATED AMENDED CLASS
ACTION COMPLAINT AND TO SET THE
INITIAL CASE MANAGEMENT
CONFERENCE**

Judge: Hon. Charles R. Breyer
Courtroom: 6, 17th Floor

21 This Document Relates To: All Actions
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Lead Plaintiff Vinod Patel (“Lead Plaintiff”) and Defendants Geron Corporation, John A. Scarlett, Olivia K. Bloom, and Stephen M. Kelsey (collectively, “Defendants” and together with Lead Plaintiff, the “Parties”), by and through their undersigned counsel, respectfully stipulate and agree to extend the time within which to answer the Consolidated Amended Class Action Complaint (“CAC”), and respectfully request that the Court re-set the date for the Initial Case Management Conference in this case. In support of this stipulation, the Parties state as follows:

RECITALS

WHEREAS, on September 10, 2014, Lead Plaintiff filed his CAC (Dkt. No. 45);

WHEREAS, Defendants filed their Motion to Dismiss the CAC (“Motion to Dismiss”) on October 10, 2014 (Dkt No. 54);

WHEREAS, Lead Plaintiff filed his opposition to the Motion to Dismiss on January 20, 2015 (Dkt. No. 61);

WHEREAS, Defendants filed their reply in support of the Motion to Dismiss on February 25, 20145 (Dkt. No. 67);

WHEREAS, on April 10, 2015, the Court denied in part and granted in part the Motion to Dismiss as stated on the record in open court during the hearing on the Motion to Dismiss (Dkt. No. 73), and later issued a short order regarding the same on April 15, 2015 (Dkt. No. 75);

WHEREAS, Lead Plaintiff has informed Defendants that he does not intend to amend the CAC at this time but reserves his right to do so at a future date, and Defendants reserve their right to challenge any such future attempt to amend;

WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), the deadline for Defendants to answer the CAC is on April 24, 2015;

WHEREAS, Civil Local Rule 6-1(a) provides that parties may stipulate in writing, without a Court order, to extend the time within which to answer the complaint;

WHEREAS, the Parties met and conferred and agree that, in the interests of the Parties and judicial economy, the Defendants should be permitted to answer the CAC on or before May 22, 2015;

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1 WHEREAS, the Court previously adjourned the Initial Case Management Conference in
2 this case in an order dated April 15, 2014 (Dkt. No. 15); and

3 WHEREAS, the Parties met and conferred and agree that, in the interests of the Parties
4 and judicial economy, the Initial Case Management Conference should be set for a date after the
5 filing of Defendants' answer to the CAC that is convenient for the Court.

6 **STIPULATION**

7 NOW, THEREFORE, the Parties stipulate as follows:

- 8 1. Defendants are required to file their answer to the SAC on or before May 22, 2015.
- 9 2. The Initial Case Management Conference shall be held 60 days after Defendants
10 file their answer to the CAC, or as soon as possible thereafter on a date that is convenient for the
11 Court.

12 **IT IS SO STIPULATED.**

13 **FARUQI & FARUQI LLP**

14 DATED: April 22, 2015

15 By: /s/ Richard W. Gonnello
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Counsel for Lead Plaintiff Vinod Patel

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DATED: April 22, 2015

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*Counsel for Defendants
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Bloom, and Stephen M. Kelsey*

ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatory.

Dated: April 22, 2015

COOLEY LLP

/s/ Ryan E. Blair
Ryan E. Blair (246724)
Counsel for Defendants
Geron Corporation, John A. Scarlett, Olivia K.
Bloom, and Stephen M. Kelsey

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 23, 2015

Hon. Charles R. Breyer

